

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: LINUS S. LIN et al.

Serial No. 10/538,395

Filed: June 9, 2005

For: SUBSTITUTED AMIDES



Art Unit: _____

Examiner: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By 

Date

9/9/2005

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

| RELATED APPLICATION | | |
|---------------------|-------------|------------|
| U. S. SERIAL NUMBER | FILING DATE | MERCK CASE |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: CATHERINE D. FITCH

Attorney _____ For Applicant(s)

Reg. No. 36,502

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4283

Date: September 9, 2005

STATEMENT BY APPLICANT

(use as many sheets as necessary)

COMPLETE IF KNOWN

| | |
|---------------------------|------------|
| Application Number | 10/538,395 |
|---------------------------|------------|

| | |
|--------------------|--------------|
| Filing Date | June 9, 2005 |
|--------------------|--------------|

| | |
|-----------------------------|---------------------|
| First Named Inventor | Linus s. Lin et al. |
|-----------------------------|---------------------|

Group Art Unit

Examiner Name

Sheet

2

of

4

Attorney Docket Number 21261P

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
|--------------------|----------|-------------------------|----------------|-------------------------|---|---|
| | | Office | Number | Kind Code (if known) | | |
| | | | WO 2005/009479 | | Merck & Co., Inc. | 02/03/2005 |
| | | | WO 03/009005 | | Westerngeco Seismic Holdings Limited | 01/30/2005 |
| | | | WO 03/007887 | | Merck & Co., Inc. | 01/30/2003 |
| | | | WO 01/58450 | | Sanofi-Synthelabo | 08/16/2001 |
| | | | WO 01/09120 | | Ortho-McNeil Pharmaceutical, Inc. | 02/08/2001 |
| | | | WO 03/063781 | | Merck & Co., Inc. | 08/07/2003 |
| | | | WO 03/075660 | | Merck & Co., Inc. | 09/18/2003 |
| | | | WO 03/077847 | | Merck & Co., Inc. | 09/25/2003 |
| | | | WO 2003/082256 | | Sanofi-Synthelabo | 10/09/2003 |
| | | | WO 03/087037 | | Merck & Co., Inc. | 10/23/2003 |

Examiner
Signature

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005

(use as many sheets as necessary)

Sheet

3

of

4

Application Number

10/538,395

Filing Date

June 9, 2005

First Named Inventor

Linus S. Lin et al.

Group Art Unit

Examiner Name

Attorney Docket Number

21261P

Examiner
Initials*Cite
No.

U.S. Patent Document

Number

Kind
Code
(if known)Name of Patentee or Applicant
of Cited Document

Date of Publication of
Cited Document
MM-DD-YYYY

Examiner
Initials*Cite
No.

Foreign Patent Document

Office

Number

Kind
Code
(if known)Name of Patentee or Applicant
of Cited Document

Date of Publication of
Cited Document
MM-DD-YYYY

WO 2005/039550 ✓

Solvay Pharmaceuticals GMBH

05/06/2005

WO 03/082833 ,

Consejo Superior De Investigaciones Cientificas
& Universidad Rey Juan Carlos

10/09/2003

WO 03/086288.

Merck & Co., Inc.

10/23/2003

WO 04/029204

Merck & Co., Inc.

04/08/2004

Examiner
Signature

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005

| | | | | | |
|---|---|----|--------------------------|------------------------|--------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | COMPLETE IF KNOWN | | |
| | | | Application Number | 10/538,395 | |
| | | | Filing Date | June 9, 2005 | |
| | | | First Named Inventor | Linus S. Lin et al. | |
| | | | Group Art Unit | | |
| | | | Examiner Name | | |
| Sheet | 4 | of | 4 | Attorney Docket Number | 21261P |

| NON PATENT LITERATURE DOCUMENTS | | |
|---------------------------------|----------|--|
| Examiner Initials* | Cite No. | Include name of the author, title, date, page(s), volume-issue number(s) and place of publication. |
| | AA | Lange et al., Drug Discovery Today, Vol. 10 (2005), pp. 693-702, "Medicinal chemistry strategies to CB1 cannabinoid receptor antagonists", |
| | AB | Petit et al., Emerging Drugs, Vol. 3 (1998), pp. 39-53, "The therapeutic applications of cannabinoid agonists and antagonists" |
| | AC | Di Marzo et al., Emerging Therapeutic Targets, Vol. 5 (2001), pp. 241-265, "Endocannabinoids Part I: Molecular basis fo endocannabinoid formation, action and inactivation and development of selectie inhibitors" |
| | AD | Goya et al., Exp. Opin. Ther. Patents, Vol. 10 (2000), pp. 1529-1538, "Recent advances in cannabinoid receptor agonists and antagonists" |
| | AE | Adam et al., Exp. Opin. Ther. Patents, Vol. 12 2002), pp. 1475-1489, "Recent advances in the cannabinoids" |
| | AF | Barth, Exp. Opin. Ther. Patents, Vol. 8 (1998), pp. 301-313, "Cannabinoid receptor agonists and antagonists" |
| | AG | Ito et al., Chem. Pharm. Bull., Vol. 20 (1972), pp. 1762-1767, "Catalytic hydrogenation of tetrahydro-4H-1,3-oxazin-4-ones and 4-oxazolidinones" |
| | AH | Ishiwata et al., Yakugaku Zashi, Vol. 71 (1951), pp. 1272-1274, "Studies on the syntheses of isoquinoline derivatives" |
| | AI | Grundy et al., Exp. Opin. Investig. Drugs, Vol. 11 (2002), pp. 1365-1374, "The therapeutic potential of the cannabinoids in neuroprotection" |
| | AJ | Pines et al., J. Med. Chem., Vol. 10 (1967), pp. 725-728, "The stereochemistry of 2,3-diphenyl-1-methylpropylamine" |
| | AK | Schultz et al., J. Med. Chem., Vol. 10 (1967), pp. 717-724, "Maleamic acids that affect plasma cholesterol and penicillin excretion" |
| | AL | Le Foll et al., J. Pharmacol. Exp. Ther., Vol. 312 (2005), pp. 875-883, "Cannabinoid CB1 receptor antagonists as promising new medications for drug dependence" |
| | | |
| | | |
| | | |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005